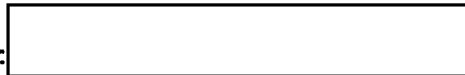


23 May 1975

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MEMORANDUM FOR:



SUBJECT : The Security Classification Act of 1975

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1. In response to your memo of 21 May 1975, I have the following comments after reading the draft of the proposed act. I addressed myself to the specific questions raised in your memo, paragraph 2:

a. In my judgment, we could live with the provisions for assigning and exercising classifying authority. I don't see that these provisions differ substantially from the procedures now in effect.

b. The classification criteria are not fully adequate to protect DDI information. Studies which contain information drawn from unclassified sources but which touch on matters that could be embarrassing to the State Department, either in the formulation or implementation of US policy, must remain classified. The language in Section (d) (2) (C) could be construed otherwise. It says that the information must contain "specific details relating to elements of US policy" etc., which can be construed to limit our discretion to classify. I suggest this needs attention.

c. The provisions for automatic downgrading and declassification are a nightmare. In the first place, it is not possible to arbitrarily decree the 12-, 24-, and 36-month deadlines for downgrading, which the Act establishes. There must be some discretion in order to protect legitimately classified information. Furthermore, I trust we will resist strenuously the requirement that positive action be taken formally to downgrade and declassify everything. It simply isn't necessary, and we will have to hire another battalion of people to do it.

2. Incidentally, if the Ford Administration wants to do something about the spawning of unnecessary regulatory organizations, this would be a good place to begin. The CRC sounds like a bureaucracy to end all bureaucracies.



LEWIS J. LAPHAM
Director, Political Research

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